

DOCKET NO. D-2006-24 CP-1

DELAWARE RIVER BASIN COMMISSION

Ground Water Protected Area

**Council Rock School District
Ground Water Withdrawal
Northampton Township, Bucks County, Pennsylvania**

PROCEEDINGS

This docket is issued in response to an Application submitted by the Council Rock School District to the Delaware River Basin Commission (DRBC or Commission) on June 19, 2006, for an allocation of ground water and review of a ground water withdrawal project in the Ground Water Protected Area of Southeastern Pennsylvania (Application).

The Application was reviewed for inclusion of the project in the Comprehensive Plan and approval under Section 3.8 and for a withdrawal permit under Section 10.3 of the *Delaware River Basin Compact*. The Bucks County Planning Commission has been notified of pending action on this docket. A public hearing on this project was held by the DRBC on September 27, 2006.

A. DESCRIPTION

1. **Purpose.** The purpose of this project is to supply up to 2.722 million gallons per thirty days (mg/30 days) of water to the docket holder's athletic field irrigation system through two new wells.

2. **Location.** The project wells are located in the Neshaminy Creek Watershed, in the Stockton Formation.

Specific location information has been withheld for security reasons.

3. **Area Served.** The wells will supply irrigation water to the docket holder's athletic fields as outlined on a map entitled "Site Location Map" submitted with the application. For the purpose of defining Area Served, the Application is incorporated herein by reference consistent with conditions contained in the Decisions section of this docket.

4. **Physical features.**

a. **Design criteria.** The docket holder plans to operate two wells as sources of supply to its athletic field irrigation system at the Council Rock High School South for seven

months each year (April through October). The docket holder anticipates a ten-year maximum water demand of 2.722 mg/30 days.

- b. Facilities.** The docket holder's existing wells have the following characteristics:

WELL NO.	DEPTH (FEET)	CASED DEPTH (FEET)/ CASING DIAMETER (INCHES)	PUMP CAPACITY (GPM)	FORMATION	YEAR DRILLED
1	310	67 / 10	150	Stockton	2006
2	600	80 / 10	150	Stockton	2006

All wells are metered.

Well water will not be treated prior to entering the distribution system.

The project facilities are above the 100-year flood elevation.

The water system is not presently interconnected with any other distribution system.

- d. Cost.** The overall cost of this project is estimated to be \$136,740.

e. Relationship to the Comprehensive Plan. The docket holder's wells were not previously included within the Comprehensive Plan.

B. FINDINGS

The project is located within the Southeastern Pennsylvania Ground Water Protected Area delineated by the DRBC pursuant to *Compact* Section 10.2. Tests conducted by the docket holder indicate the operation of this project will not create a local water shortage. The project is designed to conform to the requirements of the *Water Code*, *Water Quality Regulations* and *Ground Water Protected Area Regulations (GWPAR)* of the DRBC.

Review and analysis of the application pursuant to Section 6.D. of the *GWPAR* result in the following:

1. The withdrawal is consistent with the Commission's Comprehensive Plan and the policies and purposes of these regulations.
2. Opportunities to satisfy water requirements on a timely basis from existing available supplies and facilities have been explored and found infeasible.

3. The withdrawal, in conjunction with other withdrawals in the applicable ground water basin, should not exceed withdrawal limits of the ground water basin, aquifer or aquifer system.

4. The withdrawal should not significantly impair or reduce the flow of perennial streams in the area.

5. Existing ground and surface water withdrawals should not be adversely impacted, or will be otherwise assured of adequate supplies in accordance with the requirements of Section 10 of the *GWPAR*.

6. The withdrawal should not cause substantial, permanent adverse impact to the overlying environment.

7. The docket holder adopted and will implement conservation and management programs as required by Section 7 of the *GWPAR*.

The project does not conflict with the Comprehensive Plan, and is designed to prevent substantial adverse impact to the water resources related environment, while sustaining the current and future water uses and development of the water resources of the Basin.

The Council Rock School District athletic fields are located in the Northampton Subbasin Neshaminy Creek subbasin, where total net annual ground water withdrawal (128 mgy) is significantly less than the withdrawal limit set in Section 6.I of the *GWPAR* (794 mgy). The docket holder is requesting an annual allocation of 19.054 mgy, a fraction of which will be returned to ground water. However, even if no water from this project were returned to ground water, the total net annual ground water withdrawal from this subbasin would remain well below the withdrawal limits set in Section 6.I of the *GWPAR*. Therefore, the withdrawals from Wells Nos. 1 and 2, in conjunction with other withdrawals in the subbasin, are in accordance with the requirements of Section 6.I of the *GWPAR*.

The DRBC estimates that the project withdrawals, used for the purpose of irrigation, result in a consumptive use of 90 percent of the total water use. The DRBC definition of consumptive use is defined in Article 5.5.1.D of the *Administrative Manual – Part III – Basin Regulations – Water Supply Charges*.

The docket holder conducted a simultaneous 48-hour pumping test on Wells Nos. 1 and 2 to assess any potential impact to nearby water users. Seven monitoring wells were observed for the duration of the test. Well No. 1 was pumped at an average rate of 98.71 gpm. Drawdown in Well No. 1 was 22.35 feet. Well No. 2 was pumped at an average rate of 100.31 gpm and had a

drawdown of 77.67 feet. Maximum drawdown among the seven monitoring wells was 2.04 feet. No adverse impact is anticipated with the operation of this project.

C. DECISION

I. Effective on the approval date for Docket No. D-2006-24 CP-1 below, the project and the appurtenant facilities described in the Section entitled “Physical features” above shall be added to the Comprehensive Plan.

II. The project as described in the Section entitled “Physical features” above is approved pursuant to Section 3.8 of the *Compact* and is granted this withdrawal permit pursuant to Section 10.3 of the *Compact* and *GWP*AR, subject to the following conditions:

a. Docket approval is subject to all conditions, requirements, and limitations imposed by the PADEP, and such conditions, requirements, and limitations are incorporated herein, unless they are less stringent than the Commission’s. The docket holder shall register with the PADEP all surface and ground water sources described in this docket in accordance with the Pennsylvania Water Resources Planning Act (Pennsylvania Act 220).

b. The wells and operational records shall be available at all times for inspection by the DRBC.

c. The wells shall be operated at all times to comply with the requirements of the *Water Code* and *Water Quality Regulations* of the DRBC.

d. During any 30-day period, the withdrawal from the Well No. 1 shall not exceed 0.907 million gallons and the withdrawal from Well No. 2 shall not exceed 1.815 million gallons and the total withdrawal from all wells shall not exceed 2.722 million gallons. The wells shall only operate between April 1 and October 31 of each year.

e. The wells shall be equipped with readily accessible capped ports and drop pipes so that water levels may be measured under all conditions.

f. The project withdrawals shall be metered with an automatic continuous recording device that measures to within 5 percent of actual flow. An exception to the 5 percent performance standard, but no greater than 10 percent, may be granted if maintenance of the 5 percent performance is not technically feasible or economically practicable. A record of daily withdrawals shall be maintained, and monthly totals shall be reported to the Bureau of Watershed Management, PADEP annually and shall be available at any time to the Commission if requested by the Executive Director.

g. The docket holder shall implement its Water Conservation Plan as approved by PADEP, and shall report to the PADEP on the actions taken pursuant to this program and the impact of those actions as requested by the PADEP.

h. The docket holder shall implement to the satisfaction of the Bureau of Watershed Management, PADEP, a drought or other water supply emergency plan.

i. Sound practices of excavation, backfill and reseeding shall be followed to minimize erosion and deposition of sediment in streams.

j. Nothing herein shall be construed to exempt the docket holder from obtaining all necessary permits and/or approvals from other State, Federal or local government agencies having jurisdiction over this project.

k. Upon completion of construction of the approved project, the docket holder shall submit a statement to the DRBC, signed by the docket holder's engineer or other responsible agent, advising the Commission that the construction has been completed in compliance with the approved plans, giving the final construction cost of the approved project, and the date the project is placed in operation.

l. This docket approval shall expire three years from the date below unless prior thereto the docket holder has commenced operation of the subject project or has expended substantial funds (in relation to the cost of the project) in reliance upon this docket approval.

m. The docket holder is permitted to provide the water approved in this docket to the areas included in Section A.3. Area Served of this docket. Any expansion beyond those included in Section A.3. Area Served is subject to DRBC review and approval in accordance with Section 3.8 of the *Compact* and the *GWPAR*.

n. The docket holder shall undertake studies of additional sources to supplement its existing water supply and shall file a progress report thereon with the DRBC annually, from the date of this docket approval.

o. A complete application for the renewal of this docket, or a notice of intent to cease the operations (withdrawal, discharge, etc.) approved by this docket by the expiration date, must be submitted to the DRBC at least 12 months prior to the expiration date below (unless permission has been granted by the DRBC for submission at a later date), using the appropriate DRBC application form. In the event that a timely and complete application for renewal has been submitted and the DRBC is unable, through no fault of the docket holder, to reissue the docket before the expiration date below, the terms and conditions of this docket will remain fully effective and enforceable against the docket holder pending the grant or denial of the application for docket approval.

p. The docket holder shall incorporate and implement reasonable conservation practices and measures consistent with efficient utilization of water resources.

q. The issuance of this docket approval shall not create any private or proprietary rights in the water of the Basin, and the Commission reserves the rights to amend, alter or rescind any actions taken hereunder in order to insure the proper control, use and management of the water resources of the Basin.

r. If the operation of this project significantly affects or interferes with any domestic or other existing wells or surface water supplies, or if the docket holder receives a complaint by any user of wells or surface water supplies within the zone of influence of the withdrawal, the docket holder shall immediately notify the Executive Director of any complaints by users of wells or surface water supplies within the zone of influence of the withdrawal, and unless excused by the Executive Director, shall investigate such complaints. The docket holder should direct phone call notifications of potential well or surface water interference or complaints of interference to the DRBC Project Review Branch at 609-883-9500, extension 216. Oral notification must always be followed up in writing directed to the Executive Director. In addition, the docket holder shall provide written notification to all potentially impacted users of wells or surface water supplies of the docket holder's responsibilities under this condition. Any well or surface water supply which is substantially adversely affected, or rendered dry or otherwise unusable as a result of the docket holder's project withdrawal, shall be repaired, replaced or otherwise mitigated at the expense of the docket holder in accordance with Section 10B of the *GWP*. A report of investigation and/or mitigation plan prepared by a hydrologist shall be submitted to the Executive Director as soon as practicable. The Executive Director shall make the final determination regarding the validity of such complaints, the scope or sufficiency of such investigations, and the extent of appropriate mitigation measures, if required. The Executive Director may modify or suspend this approval, or require mitigating measures, pending additional review.

s. For the duration of any drought emergency declared by either Pennsylvania or the Commission, water service or use by the docket holder pursuant to this approval shall be subject to the prohibition of those nonessential uses specified by the Governor of Pennsylvania, the Pennsylvania Emergency Management Council, PADEP, or the Commonwealth Drought Coordinator, to the extent that they may be applicable, and to any other emergency resolutions or orders adopted hereafter by the Commission.

t. The docket holder and any other person aggrieved by a reviewable action or decision taken by the Executive Director or Commission pursuant to this docket may seek an administrative hearing pursuant to Articles 5 and 6 of the Commission's *Rules of Practice and Procedure*, and after exhausting all administrative remedies may seek judicial review pursuant to Article 6, section 2.6.10 of the *Rules of Practice and Procedure* and section 15.1(p) of the Commission's *Compact*.

BY THE COMMISSION

APPROVAL DATE: September 27, 2006

EXPIRATION DATE: September 27, 2016